

Silver, 57 1/2 cents per ounce. Copper, 15 1/2 cents per pound. Lead, A. & R. price, \$3.40; New York exchange, \$3.75.

Forecast for Salt Lake. Increasing cloudiness and cooler.

TWENTY-NINTH YEAR.

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GREATEST WATER SUIT EVER LAUNCHED IN UTAH

Salt Lake City and Four Canal Companies Against Utah County Farmers.

Will Determine the Question as to Whether Utah Lake Is a Reservoir—Millions Are Involved.

A WATER suit that, for the magnitude of the interests and for the number of people involved, will take rank as one of the greatest in the history of this country, was practically decided upon in this city yesterday, when the presidents of the four great Salt Lake valley canal companies and officers of Salt Lake City informally agreed to bring suit against all the people and corporations that have appropriated water from the streams flowing into Utah lake since the waters of that lake were appropriated by the canal companies mentioned twenty to thirty years ago.

Some idea of the magnitude of this impending suit may be obtained from the statement that it will involve as defendants all the canal companies, all the individuals and all the cities and towns that have in thirty years appropriated water from the Provo river, the Spanish Fork, Big Spring creek, Little Spring creek and all the other streams that naturally would flow into Utah lake.

At the meeting yesterday, held in the office of President Angus M. Cannon, there were present Mr. Cannon as the president of the South Jordan Canal company and chairman of the board of canal presidents; William McLaughlin, president of the Utah & Salt Lake Canal company; James Jensen, president of the East Jordan Irrigation company; William H. Haight, president of the North Jordan Canal company; City Engineer L. C. Kelsey, and Attorneys Franklin S. Richards, Frank R. Stephens, John M. Cannon and E. A. Wedgewood. The North Jordan Canal company was the only one that was not represented by an attorney.

Subject Thoroughly Discussed. This matter of bringing suit has been under discussion by representatives of the different companies and their attorneys for some time past. The discussion yesterday was informal and the whole ground was gone over with unusual care. The unanimous opinion was that "the canal companies had certain rights which should be protected," and the decision of the canal companies was to bring suit to recover and protect these rights. No plan of campaign was decided upon at the meeting, and another meeting will be held at the same place at 3 o'clock Tuesday afternoon next to take formal action in the matter and agree upon the course of procedure. The action of the canal president will be ratified by the Salt Lake City council on Tuesday evening and a resolution will be adopted in harmony with the action taken. All four canal companies and the corporation of Salt Lake City will be made plaintiffs to the suit.

Question at Issue. The entire point that will be at issue in this great lawsuit is as to whether or not Utah lake is a reservoir within the meaning of the law, and upon this point the whole case will hinge. If it can be established by the canal companies of this valley that the lake is a reservoir, the canal companies will be entitled to the water of the lake, and the people in Utah county will be deprived of the use of much of the water of all the streams flowing into the lake. If this point is lost, it is feared there are serious times ahead for the people who depend upon Jordan river and Utah lake for their irrigation water.

overflow on their lands as the result of this dam and complicated fight followed. As the final outcome, "compromise point" was established in 1886 at three feet three and a half inches above low-water mark in the lake. By this it was held that the people below could still have their reservoir and not back the water, but not to the extent of flooding the farms around its shore of Utah lake. But this did not end the trouble. The Utah county farmers held that the water should never be permitted to go above "compromise point," the Salt Lake valley people held that the water was not permitted to go above "compromise point" in the spring in the time of high water, it would go so far below the point in the dry season that they would have no water at all. Litigation and lawsuits followed, and as a final result of all this, three commissioners were appointed to have charge of the matter, and ever since they have been the sole judges as to when water may be impounded in the lake, in the interest of the Salt Lake valley people, and when the dam must be opened in the interest of the Utah county people.

Supply Cut Off. The reason for this shortage of water is that the waters of the Provo, the Spanish Fork and the other streams that would flow into and supply Utah lake have been appropriated by farmers as canal companies on Provo bench, Spanish Fork bench and around American Fork, Springville and other places in that part of the state. The attorneys for the Salt Lake valley canal companies hold that every drop of water that has been appropriated since the building of the dam in Utah lake has been illegally appropriated. The canal companies claim that they appropriated the waters of the Jordan appropriated those waters all the way to their original sources in the mountains; that Utah lake was constituted a reservoir for the impounding of these waters, and that no one has a right in law to go further up and appropriate the waters that belong to the people who first made the appropriation further down.

Great Interests Involved. The magnitude of the case that is to be thus opened is almost staggering. It will take in many of the leading people of Levi, American Fork, Pleasant Grove, Provo, Springville, Spanish Fork and Payson, but the land owners on Provo bench and Spanish Fork will be the most directly affected by reason of having more recently appropriated and diverted the waters of the two rivers into the lake reservoir.

Identical with the lost Tazapas. The Spanish owners are said to have been murdered by their Indian slaves near the close of the seventeenth century, and it is stated that for 100 years thereafter no one was allowed to enter that region.

Failed to Lower Record. St. Louis, Mo., Nov. 9.—Crescens this afternoon made an attempt to lower his record of 2:02 1/4. The best he could do was 2:07 flat.

Some House Cleaning that Will Please the People of Salt Lake.



MORE CONVICTS ARE CAPTURED

Twelve Escaped Federal Prisoners Are Retaken.

SEARCHING FOR THE OTHERS

THOSE AT LARGE MAKING FOR THE INDIAN TERRITORY.

Kansas City, Nov. 9.—Armed guards, aided at many points, today kept up an unceasing search in the woods and on the highways in the country between Leavenworth, Kansas City and the Kansas river for the convicts fleeing from the federal prison at Fort Leavenworth. As a result of the day's work three prisoners were taken, unarmed. This makes a total of twelve captured thus far, leaving fourteen still at large.

Was Futile Chase. Three parties of deputies that went out during the day to locate different batches of convicts supposed to be surrounded by farmers, two going from Lawrence and one from Fort Leavenworth, returned at dark empty handed. It is believed that the fourteen convicts still at large have broken up into two and three and scattered to avoid unnecessary attention, and this may aid them in getting away. It is now possible that some of them may get into the Indian territory before morning.

Convicts Commit Robbery. Wamego, Kas., Nov. 9.—Three of the escaped federal convicts held up William Coder, a farmer, about two miles south of town this evening at 6 o'clock and robbed him of his horse and buggy and most of his clothing. Coder was returning home from a day's market. After the robbery the men drove rapidly toward the southeast. One of them left his trousers behind and they contained the number 24. A large posse is now in pursuit.

IS EXPOSED TO HARDSHIPS.

Miss Stone Writes of the Sufferings She and Her Companion Are Compelled to Endure at the Hands of Their Captors.

OFFERINGS AT EARL LI'S BIER

Coffin Surrounded by Tons of Food and Paper Money.

Sofia, Bulgaria, Nov. 8.—In the latest letter received from Miss Stone she says she is exposed to much hardship and suffering owing to the constant movement of the band over hills and ravines, notwithstanding the rigors of the winter. In consequence of this activity, which has lately been increased by the Bulgarian troops, the condition of Miss Stone's companion, is even more pitiable, owing to her expected accouchment.

ROOSEVELT SAYS PROMOTIONS IN ARMY WILL BE MADE ON MERITS ONLY

Washington, Nov. 9.—The president today declared to Senator Cullom of Illinois that in making the promotions to the brigadier generalships soon to become vacant he would be governed entirely by the record; that it was his intention to promote those whose records showed them to be most deserving of promotion, and that neither personal considerations, nor the influence of friends, would be allowed to enter into his consideration.

BET ANY OLD THING ON HORSE RACE AT PRICE

(Special to The Herald.) Price, Nov. 9.—Local sports today ran short of money to bet on the horse race between one of three animals of J. M. Whitmore and the Overholt mare from Vernal, and in its stead, sheep, watches, lumber, brick, horses and wagons, hay in the stack and everything imaginable has been wagered.

MERCUR POSTMASTER.

R. W. Watt Appointed by the President Yesterday. Washington, Nov. 9.—The president has appointed R. W. Watt as postmaster at Mercur, Utah.

OFFERINGS AT EARL LI'S BIER

Coffin Surrounded by Tons of Food and Paper Money.

CANDLES AND INCENSE BURN

CALLERS PROSTRATE THEMSELVES BEFORE REMAINS.

Pekin, Nov. 9.—The foreign ministers this afternoon went in a body wearing plain mourning, to the late Li Hung Chang's yamen and presented their condolences, according to Chinese custom. Chinese soldiers lined the streets where the yamen and the great crowds which gathered in the afternoon about the yamen were perfectly orderly.

KEEPING CLOSE WATCH.

United States Has an Eye on Russia in Manchuria. Washington, Nov. 9.—The state department never has had a copy of the treaty negotiated by Li Hung Chang and the Russian agent at Pekin relative to Manchuria to which reference was made in the public account of Li Hung Chang's death.

PREACHER HOPES SON WILL WIN PRIZE FIGHT

San Francisco, Nov. 9.—Jim Jeffries, the pugilist, has received a letter from his father, the Rev. James Jeffries, an evangelist, who is at present in London. In it Mr. Jeffries writes that he had read about his son's match with Ruhlin, and that, although he could not sanction such work, he wished him success.

MAN MISTAKEN FOR DEER AND KILLED

Greenville Junction, Me., Nov. 9.—Word has been received here from the Moushead lake region that W. C. Tuckey of Collingwood, O., was accidentally shot and killed by J. G. Hostalter of Toledo. The men were hunting.

MAY NOT BE TRUE.

Story of Russian Minister Trying to Force Li Hung Chang. New York, Nov. 9.—The story which describes the Russian minister at Pekin as trying to force Li Hung Chang to sign the Manchurian agreement on his death-bed is possibly not true, says the Tribune's London representative, but it is regarded in Great Britain as highly characteristic of Russian methods in the far east.

FIERCE FIGHT WITH REBELS

Insurgent Stronghold in Samar Is Captured.

TWO AMERICANS ARE KILLED

TWENTY-SIX FILIPINOS FALL IN THE BATTLE.

Manila, Nov. 9.—Advices from Catbalongan, capital of Samar island, report that Major Waller attacked a force of insurgents occupying a strong position at Sojton, two three-inch guns being used to shell the rebel stronghold. Throughout the first day the insurgents held the place, but yesterday Major Wallace renewed the attack and after a desperate engagement, carried the position. Two marines of the attacking force and twenty-six insurgents were killed.

REORGANIZE THE ARMY.

General Chaffee Makes Changes in Distribution of Troops.

Washington, Nov. 9.—Rear Admiral Rogers at Manila today called the secretary of the navy as follows: "Privates George Lynch and E. A. Kloman killed in action, Sajojpin, near Bassy, Samar, on the 7th inst." No further details of the action are given.

On the recommendation of General Chaffee, commanding the division of the Philippines, an order has been issued for the reorganization of that division. Up to this time the division has comprised four military departments, as follows: Department of northern Luzon, commanded by Major General Lloyd Wheaton; department of southern Luzon, commanded by Brigadier General J. S. Wade; department of the Visayas, commanded by Brigadier General R. P. Hughes; department of Mindanao and Jolo, commanded by Brigadier General G. W. Davis.

In accordance with the action of the war department today the division will be divided into only two military departments to include within their limits the entire Philippine archipelago. They will be known as the department of north and south Philippines. The northern department will be commanded by Major General Wheaton and will include the islands of Luzon, Mindanao and Mazbate and all the intervening territory. The southern department, which will be commanded by Brigadier General Wade, will embrace the remainder of the archipelago and include the large islands of Samar, Panay, Mindanao, the Visayas and Jolo.

LIGHT PUNISHMENT FOR TERRIBLE CRIME

Galena, Mo., Nov. 9.—James Crabtree, charged with complicity in the murder, last June, of Alice Stallion, a young girl, was today found guilty and his sentence fixed at ten years in the penitentiary. Mrs. Thomas Crabtree, the prisoner's stepmother, and Thomas Crabtree and his son William are still to be tried for complicity in the crime. Alice Stallion, the victim, was the 16-year-old stepdaughter of Thomas Crabtree. She had trouble with her folks because she permitted the attentions of a neighboring farmer which they disliked. Later the body of the girl was found floating in the James river, with the neck broken and bearing other marks of ill-usage. The girl was beautiful, and it was charged that her half-brothers had ravished and then helped her murder.

GREAT NORTHERN TO RUN TRAINS BY ELECTRICITY

Minneapolis, Minn., Nov. 9.—The Great Northern is preparing to investigate the possibility of utilizing Snoqualmie Falls, the greatest scenic attraction in the state of Washington for pulling all of its trains between Seattle and the summit of the Cascade range. The Northern Pacific road is also considering the falls as a source of power for running its trains from Portland and Seattle to the summit of the Cascades.

TWO LITTLE CHILDREN ARE BURNED TO DEATH

Quincy, Ill., Nov. 9.—The farm house of D. B. Miller, twelve miles north of here, was burned last night and two children, Pearl and DeWitt Miller, aged 8 and 12 years, were burned to death. Several other members of the family had narrow escapes.

GERMANY AROUSED OVER DUEL THAT WAS LITTLE LESS THAN A MURDER

Berlin, Nov. 9.—The public mind was considerably excited this week on account of a duel at Interberg, East Prussia, in which Lieutenant Blaskowitz of the army, was killed by Lieutenant Hildebrand, also of the army. The military officials have not yet made a statement of the facts in the case, but the National Zeitung has obtained an authoritative account of the meeting, which is as follows: Lieutenants Hildebrand and Rasmussen met Lieutenant Blaskowitz going home one night in a state of intoxication, carried him to a spot near his residence and left him there. They returned to the spot later, however, and found Blaskowitz crouching against a wall, asleep, and tried to arouse him and get him upon his feet. Blaskowitz, being ignorant of the identity of the two men who were endeavoring to assist him, struck right and left in his semi-somnolent state, and hit Lieutenant Hildebrand, who reported by the blow received, and reported the affair to the court of honor, which

decided that a duel was unavoidable, whereupon Lieutenant Hildebrand challenged Lieutenant Blaskowitz. The latter, however, unconscious of what had occurred while he was intoxicated, wanted to settle the matter with an apology, but the highest officers of the brigade and division sanctioned the finding of the court of honor, that a duel was necessary and it ended in the matter already detailed.

Newspapers of all shades of opinion express amazement at the action of the court of honor. Even the conservative papers regard the action of the court as being incomprehensible. It is believed that the case will come before the Reichstag. The papers urge that the most energetic language against permitting duels like the above, holding that the superior officers are responsible.

FAMOUS LOST MINES OF MEXICO ARE FOUND

Tucson, Ariz., Nov. 3.—A Star special from Guaymas, Mexico, says: The lost Potosi mines, celebrated in Spanish chronicles as having produced \$9,000,000 in silver and gold in the seventeenth century, which are described on Spanish maps as being situated in northwestern Mexico, about fifty leagues from the sea, near Dos Plumas, have been found.

As far back as 1859 Robert L. D'Aunalle, a celebrated French expert, declared the location of the Cieneguilla, in the Sahuria district, Sonora, to be